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ABSTRACT

Educational changes are examined from the perspective of consumer protection--the direct consumers are the teachers being prepared; the indirect consumers are the students and the society that supports the schools. During the colonial and early national periods of American history, there was an absence of formal and separate teacher education. During the common-school revival, state departments of education provided some supervision of practices in schools. Normal schools provided the opportunity for some separate preparation of teachers and the application of minimal standards for their selection. Teacher examinations were first developed locally, then by counties and by states, and were a primitive effort to assure basic levels of knowledge about teaching. This century saw the development of full-fledged state certification and accreditation laws and procedures that represent a more sophisticated effort to protect children and the public against unethical and incompetent practitioners. However, recent examinations of teaching and teacher education by critics such as James Conant, James Koerner, and Charles Silberman, demonstrate that all this effort has not in fact adequately protected prospective teachers from miseducation or their students from poor instruction. The direct consumers of teacher education have apparently decided they cannot wait any longer for higher education to improve and they are thus promoting teacher centers for inservice education. In Oregon and California, recent legislation has created commissions (containing educators and noneducators) with full legal authority to establish and apply standards for teacher certification and program accreditation. Perhaps Ralph Nader will turn his attention to the process of providing consumer protection for educators and the public they serve. (MM)

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CONSUMER PROTECTION FOR EDUCATORS

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War long ago became too important to be left to the generals, and now - at long last - teacher education has become too important to be left to the colleges. It should be obvious to every careful observer that significant changes in the control and governance of teacher education are currently under way. Although the situation is still very fluid, the general direction of these changes is clear. Colleges and universities, which have long played the dominant role in such matters, are now - with little enthusiasm - beginning to share their power with the organized teaching profession. The public, which has had de jure control of teacher preparation and licensing, watches with confusion as de facto power starts to move from higher education to the teaching profession at large.

This general trend - the basic components of which have been extensively analyzed elsewhere - may be interpreted from a variety of perspectives. Economists would emphasize the effort of organized teachers to limit competition and raise salaries

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through restrictions on the numbers of new teachers produced. Sociologists would call attention to the characteristics and behaviors of an occupational group trying to transform itself into a true profession. Political scientists would point to the struggle of various groups to expand their own power bases. Teacher organization activists interpret the movement from the perspective of underdogs who are at long last trying to get some control over important decisions affecting their professional lives. Teacher educators are tempted to see the movement from the viewpoint of beleagured professors who - with already too little influence within academia - are about to lose what little power they have in the certification-accreditation area.

These perspectives - and others which might be described - are all legitimate, and all can help to explain in part the movement which is under way. We may hope that continued study and analysis from varying viewpoints will provide the criticism and direction which all social developments require. Out of this vigorous interplay of proposals, counterproposals, and critiques we may perhaps mold approaches to governance which meet public needs more satisfactorily than do the current patterns.

Another useful perspective from which to view this development is that of the consumer protection movement.[1] This movement, while drawing upon the information and methodologies of

various disciplines and professions, has also become (like teacher organizations and higher education) a discrete, identifiable interest group. As America has become increasingly a consumer society, it was perhaps inevitable that a movement would develop to represent the particular interests of consumers. And if institutions are indeed the lengthened shadows of men, the consumer protection movement is clearly Ralph Nader's long shadow. We would need to look long and far in America's recent history to find a similarly clearcut example of a situation in which one person has so effectively focused, organized, and shaped powerful social forces.

Nader is not, of course, working in a historical vacuum. We could, if we wished to go back that far, start a narrative of consumer protection with its first recorded failure: when Adam ate Eve's proferred apple, and got more than he bargained for. Biblical strictures against usury are an early example of consumer protection. The Roman doctrine of caveat emptor represented a pessimistic and individualistic response to consumer problems. In our own country, Upton Sinclair's book, The Jungle, was in part a sensationalized effort to warn consumers against the tainted and unwholesome products of the meat-packing industry. (Sinclair has been quoted as saying that he aimed his novel at America's heart, but succeeded in hitting it in the stomach.) The pure food and drug laws of the Progressive era were one response to the revelations of Sinclair and

other muckrakers. So when Nader sprang into national prominence by successfully exposing the failures of one of America's industrial giants - General Motors - he was but the latest in a long line of persons who have assumed similar roles in earlier periods. It is perhaps the new social and economic situation in which many people now devote as much attention to consumption as to production that gives Nader his particular authority today.

That Nader has not had all the influence he had anticipated with the Carter administration should not surprise us. What is more surprising - given the newness of the current consumer protection movement and the powerful corporate opposition to it - is that he has received even the current level of recognition, encouragement, and influence from a presidential administration.

The fact that most informed Americans - and particularly educators - are somewhat familiar with the consumer protection movement makes it easier to analyze educational changes from that perspective. We can, at the very least, make analogies from consumer protection in general to comparable movements in education. One could, perhaps - with sufficient detailed historical analysis - show that the consumer protection movement has directly affected the thinking and action of those proposing changes in teacher education governance. Our intent here is more modest - merely to indicate that one can productively

examine changes in teacher education with the terminology and concepts of the consumer protection movement. Along with all the other ways of viewing current developments in governance this may provide a useful and meaningful perspective for analysis and critique.[2]

We may begin by quickly and cautiously reinterpreting some of the history of American teacher education in consumer protection perspectives. (In doing so, we may note that historians consistently warn against rewriting the past in contemporary terms but then often proceed to do so.) As we undertake this reinterpretation, we must ask first of all who are the consumers of teacher education? The direct consumers are, of course, the teachers being prepared. The indirect consumers are the students whom they teach, their families, and the society which supports the schools.

We must note first an absence of formal and separate teacher education during the colonial and early national periods of our history. Teacher education consisted at best of giving teachers a few years more of general education than was received by their pupils. Only the vigilance of an occasional conscientious and knowledgeable school board provided children with any protection from incompetent and vicious instructors. And we have enough pedagogical horror stories from this early period to remind us that students received far too little effective protection of any kind.

During the common-school revival, state departments of education, led by humane educators like Horace Mann, provided some supervision of practices in schools. And the parallel development of normal schools provided at least the opportunity for some specific preparation for teachers and the application of minimal standards for their selection. The gradual development of teacher examinations - first locally, then by counties, and finally by states - was a primitive effort to assure basic levels of knowledge about teaching. The development during this century of full-fledged state certification and accreditation laws and procedures (often as part of the Progressive movement and of civil service reform) represented more sophisticated efforts to protect children and the public against incompetent and unethical practitioners.[3]

But recent examinations of teaching and of teacher education by critics like James Conant, James Koerner, and Charles Silberman - among others - suffice to demonstrate that all this effort has not in fact adequately protected prospective teachers from miseducation or their students from poor instruction.[4] Graduates of teacher education programs continue to indict the quality and effectiveness of their preparation. Public school pupils are still bored and alienated by poorly-trained teachers. The public is increasingly willing to vote down school levies and even to close schools in order to register protests about lack of

attention to the basic skills. Teacher organizations demand authority over preparation and licensing, citing the failure of higher education and state departments of education to provide quality control. And studies with titles like The University Can't Train Teachers, and Teacher Education: The Responsibility Gap demonstrate that traditional institutions and patterns of teacher education fail to satisfy either the producers or the consumers of teacher education.[5]

The direct consumers of teacher education - those who sit through the preservice and inservice classes - have decided that they cannot wait for higher education to clean its own house (or, to come closer to the more earthy terms in which education courses are often described, to clean out their own Augean stables). They are thus promoting - with some success - teacher centers for inservice education. They have succeeded in establishing substantial influence over national accreditation through the National Council for the Accreditation of Teacher Education. And they have successfully supported in a number of states the establishment of teacher standards and practices commissions with legally-recognized authority to advise those state agencies responsible for teacher preparation and licensing.

In at least two states, this activity by teachers has gone still further and resulted in legislation which offers real promise of effective consumer protection. In Oregon and

California, recent legislation has created commissions with full legal authority to establish and apply standards for teacher certification and program accreditation. (In Oregon, the Teacher Standards and Practices Commission is fully autonomous; in California, the State Board may put a "stay" on rules and regulations adopted by the Commission for Teacher Preparation and Licensing).

These two Commissions, which evolved from previous advisory groups, have too brief a history to give assurance that they will in fact protect teachers and the public from ineffectual teacher preparation. The California Commission was given its current legal status in 1970, and the Oregon Commission in 1973. But both Commissions have exercised their new power vigorously, and both have shown that organized teachers are determined to make their influence felt in improved preparation and licensing practices.

The laws which established these Commissions are - like other laws - basically statements of intent. Educators are, we assume, more interested in the actual effects which these groups have had in protecting teachers and their clients. For three reasons we will restrict our assessment to the impact of the Oregon Teacher Standards and Practices Commission (TSPC): (1) Our greater familiarity with the Oregon situation; (2) the TSPC's clearer and more autonomous legal status; (3) the interest of

the National Education Association in establishing Oregon-type Commissions in other states. Since July 1, 1973, when the TSPC was granted its current authority - it has achieved the following:

1) Adopted revised general certification rules which are more closely oriented to the demands of public schools and their staffs;
2) Developed new certification regulations in fields of particular need such as reading and special education;
3) Implemented regulations requiring colleges to waive course work when students can demonstrate that they have the competencies which the courses are designed to develop;
4) Improved the speed, efficiency, and accuracy with which certificates are granted;
5) Adopted improved accreditation rules more consistent with NCATE standards and with public school needs;
6) Adopted alternate accreditation standards for competency-based, consortium-centered programs;
7) Conducted at least one accreditation visit to each of Oregon's fourteen teacher education programs; (A total of over twenty-five full and partial evaluations have been conducted in the past three-and-a-half years);
8) Changed the composition of accreditation teams, which were formerly heavily weighted in favor of higher education. (Current teams consist of one-third teachers, one-third administrators, and one-third higher education personnel);

9) Successfully promoted and implemented legislation insuring that educational personnel are properly certificated for their actual assignments.

These - and other examples which might be cited - are the specific, identifiable achievements of the new Commission. All of them can be seen as illustrations of ways in which educators are taking into their own hands the power to protect the consumers of teacher education. But perhaps more important than the specific achievements is the fact that Oregon educators are beginning to realize that they do have a new power; that they no longer can shift the blame for incompetent practitioners to the laymen on the State Board of Education; that they have remarkably wide latitude in setting and applying the standards by which they and their colleagues shall be judged.

These "psychic benefits" are contributing to a new morale on the part of Oregon teachers. After years of passing the buck to others, they are slowly starting to understand that only they can protect themselves. Now, - like doctors, lawyers, architects, and the members of other well-established professions - teachers may determine the rules by which their present and future colleagues will be prepared and under which they will practice.

It is clear that the well-being of teachers is better protected under the new arrangements, but we must ask: what happens to the public interest? What is to prevent educators from using the Commission to advance the narrow pecuniary interests of their

own occupational group? Will not the Commission arbitrarily close down some preparation programs in order to restrict the over-supply of teachers? The evidence to date is that dire predictions of this sort are unwarranted. While the TSPC has conducted accreditation visits more frequently, carefully, and vigorously than did the State Board, it has not closed any programs. It has, rather, exerted consistent, effective pressure on programs to meet standards and to more effectively prepare students for the real challenges of teaching.

The presence of three non-educators on the seventeen-person commission also serves to protect the public interest. While these three members obviously could never out-vote the educator members, they can - and do - see to it that the interests of school districts and the public are constantly kept in mind during Commission deliberations. And - should the educators ever take a public-be-damned attitude (like those great unions the Teamsters and the American Medical Association) - the public members would assuredly let the public know about it in the most vigorous terms. Oregon's new public meeting law also provides further assurance that constant public scrutiny is focused upon the Commission as it is upon other public agencies.

To our knowledge, neither Ralph Nader nor any of his associates has examined the need for consumer protection in education. If they ever make sufficient progress in cleaning up America's

military-industrial complex we may hope that they will devote some attention to what we may call the educational-bureaucratic complex. And we can confidently predict that - if and when they do so - they will see that teacher standards and practices commissions are well underway with the long, arduous, and important process of providing consumer protection for educators and for the children, schools, and communities whom they serve.

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REFERENCE NOTES

[1]The author would like to thank Richard S. Jones, Executive Secretary of the Oregon Teacher Standards and Practices Commission, for his suggestions concerning this topic. Fred Hechinger gives some hints about the relationship between consumerism and education in "Should Teachers be Judged by Performance?", Saturday Review/World, May 5, 1974, pages 71-72. Teacher Education: The Responsibility Gap describes the failure of certification and accreditation to protect the clients of education. (Omaha: University of Nebraska Press, 1976). See also Elizabeth D. Koontz, "A Consumer's Hopes and Dreams for Teacher Education," in A Decade of Thought on Teacher Education, (Washington, D.C., American Association of Colleges for Teacher Education, 1970).

[2]No special claim of novelty is made for this topic. Certification and accreditation have long been explained as sources of protection for students. The purpose of this analysis is to explore some current developments in teacher education governance in terms of the contemporary consumer protection movement.

[3]These developments, which can be only briefly sketched out here, can be traced in detail in Willard Elsbree's The American Teacher (New York: American Book Company, 1939); Merle Borrowman, ed., Teacher Education in America (New York: Teachers College Press, 1965); Borrowman, The Liberal and Technical in Teacher Education (New York: Teachers College Press, 1956); and Lucien B. Kinney,

Certification in Education (Englewood Cliffs, N.J.: Prentice-Hall, 1974).

[4]James B. Conant, The Education of American Teachers (New York: McGraw-Hill, 1963); James Koerner, The Miseducation of American Teachers (Baltimore: Penguin, 1963); Charles Silberman Crisis in the Classroom (New York: Random House, 1970)

[5]Paul Olson, et. al. editors, The University Can't Train Teachers (Omaha: University of Nebraska, 1972); Teacher Education: The Responsibility Gap (Omaha: University of Nebraska, Study Commission on Undergraduate Education and the Education of Teachers, 1976).